

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 TOM M. FRANKS,

12 Plaintiff,

13 v.

14 R.C. JOHNSON,

15 Defendant.

Case No. 1:20-cv-00708-SKO (PC)

**ORDER TRANSFERRING CASE TO THE
CENTRAL DISTRICT OF CALIFORNIA**

17 Plaintiff, a state prisoner proceeding *pro se*, filed this civil rights action pursuant to 42
18 U.S.C. § 1983. The federal venue statute provides that a civil action may be brought in “(1) a
19 judicial district in which any defendant resides, if all defendants are residents of the State in
20 which the district is located; (2) a judicial district in which a substantial part of the events or
21 omissions giving rise to the claim occurred ...; or (3) if there is no district in which an action may
22 otherwise be brought..., any judicial district in which any defendant is subject to the court’s
23 personal jurisdiction with respect to such action.” 28 U.S.C. § 1331(b).

24 The sole defendant in this action does not reside in the Eastern District of California.
25 Plaintiff’s claims arose in Los Angeles County, which is in the Central District of California.
26 Therefore, this lawsuit should have been filed in the United States District Court for the Central
27 District of California.

28 ///

1 In the interest of justice, a district court may transfer a complaint filed in the wrong
2 district to the correct district. 28 U.S.C. § 1406(a). Accordingly, IT IS HEREBY ORDERED that
3 this matter is transferred to the United States District Court for the Central District of California.

IT IS SO ORDERED.

6 Dated: May 22, 2020

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE